

Remarks/Arguments

Claims 1, 7-39, 41-43 and 45-49 are pending. Applicants gratefully acknowledge the Office Action indication that dependent claims 23-27, 29-38, 46 and 48 are directed to allowable subject matter. However, Applicants respectfully submit that claims 1, 7-22, 28, 39, 41-43, 45, 47 and 49 are also directed to allowable subject matter for at least the reasons indicated below. Reconsideration in view of the following remarks is therefore respectfully requested.

Applicants note a minor error in the citation of the reference, D. Cutting et al., "Scatter/Gather: A Cluster-based Approach to Browsing Large Document Collections", Proc. 15th Ann. Int'l SIGIR '92, 1992 cited on the PTO-892 provided with the July 16, 2003 Office Action. In order to correctly reflect the references considered in the official record, Applicants respectfully request the correction of the July 16, 2003 PTO-892 citation to read D. Cutting et al., "Scatter/Gather: A Cluster-based Approach to Browsing Large Document Collections", Proc. 15th Ann. Int'l SIGIR '92, 1992. An Information Disclosure Statement reflecting the corrected citation and properly placing related reference U.S. Patent No. 5,442,778 before the Examiner have also been submitted with this paper. The Cutting reference and U.S. Patent No. 5,442,778 are both cited in the Application at page 8, lines 29-31. In the interests of clarity, the remainder of Applicants response refers to the corrected citation as Cutting.

The Office Action rejects claims 7-22, 28, 39, 41-43, 45, 47 and 49 under 35 U.S.C. § 103(a) as unpatentable over Cutting. These rejections are respectfully traversed.

Applicants note that although a reference is asserted against claim 1 at page 2, line 4 of the Office Action, the Disposition of Claims and the Detailed Action on page 1 do not correctly reflect that claim 1 is pending and has not been cancelled.

Applicants respectfully submit that Cutting does not disclose, teach or even suggest at least the features of: 1) extracting a first feature corresponding to the first document from the plurality of digital documents, the first feature comprising text surrounding an image included in the digital document, the text surrounding the image

not being anchor text; 2) converting the first feature to a first vector; and 3) associating the first vector with the first digital document, as recited in independent claim 1.

Cutting merely describes an information access paradigm that “[s]catters the collection into a small number of document groups or clusters, and presents short summaries of them to the user. Based on these summaries, the user selects one or more, of the groups for further study... Ultimately, when groups become small enough, this process bottoms out by enumerating individual documents”. See for example, Cutting, p. 319, col. 2, lines 4-15. Cutting further describes how a set of documents or document groups can be described using profiles of document groups. See for example, Cutting p. 322, lines 9-33. At page 320, line 25 – page 321, line 7, Cutting describes conventional document similarity measures which “treat each document as a set of words”.

It is therefore quite clear that Cutting is directed to text and neither discloses, teaches nor even suggests anything about images. Thus, the Office Action rejection of Cutting does not address all the features recited in independent claim 1. Claim 1 therefore defines patentable subject matter over the art of record. Claims 7-19 depend from claim 1 and therefore define patentable subject matter for at least the same reasons. Applicants therefore request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 7-19. Applicants note that claim 1 was not listed as a rejected claim but was mentioned in the body of the Office Action. Therefore, if claim 1 is rejected, Applicants respectfully request the withdrawal of any 35 U.S.C. § 103(a) rejection of claim 1 for at least the reasons discussed above.

The Office Action admits that Cutting does not disclose at least the features directed to 4) converting the first feature to a first vector, as recited in independent claim 1. Applicants agree. The Office Action attempts to remedy these admitted deficiencies of Cutting by asserting that these features are implicitly taught by Cutting’s construction of countfile vectors. See for example, Cutting, p. 322, col. 1 lines 4.

However, Applicants submit that the asserted rejection fails to recognize the antecedent basis in the claim. In particular, “the feature” is not the same as “a feature”. For at least these reasons, Applicants submit that independent claim 1 is directed to allowable subject matter. Claims 7-19 depend from claim 1 and therefore define

patentable subject matter for at least these reasons. Accordingly, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejections of claims 1 and 7-19.

Applicants submit that the Office Action also fails to afford patentable weight to at least the features of 5) selecting a second feature from a set of multi-modal features including a user information feature and a genre feature, as recited in independent claim 43. The Office Action simply ignores these features. Nor can Applicants discern any teaching of these features in Cutting. Thus, since Cutting fails to address each and every recited feature of claim 43, claim 43 defines patentable subject matter over the art of record. Claims 45 and 47 depend from claim 43 and therefore define patentable subject matter for at least the same reasons. Therefore, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 43, 45 and 47.

Applicants submit that Cutting also does not disclose, teach or even suggest at least the features of: 6) identifying a first user to be processed from the users of the collection of digital documents; 7) extracting from the collection of digital documents a first feature representing a first sub-set of digital documents of the collection that have been accessed by the first user; and 8) converting the first feature to a first vector and associating the vector with the first user, as recited in independent claim 39.

The Office Action again simply ignores these features of claim 39. Applicants' careful review of Cutting indicates that Cutting is directed to a user interface for a single user browsing a document collection. However, Cutting reveals no mention of at least the above identified features of claim 39. Thus, since Cutting does not mention these features and the Office Action fails to address these features recited in claim 39, claim 39 defines patentable subject matter over the art of record. Claims 41-42 depend from claim 39 and therefore define patentable subject matter over Cutting for at least the same reasons. Applicants therefore request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 39 and 41-42.

Applicants submit that Cutting also fails to disclose, teach or even suggest at least the features of: 9) extracting a first feature corresponding to the first digital document from the plurality of digital documents, the first feature comprising an image feature associated with non-text content of an image included in the first digital document; and 10) extracting a second feature corresponding to the digital document, the second feature

comprising a one of a user feature and a text genre feature, as recited independent claim 49. The Office Action also ignores these recited features of claim 49. Nor can Applicants discern any teaching of these features in Cutting. Since the Cutting reference fails to address each and every recited feature of claim 49, the claim defines patentable subject matter over the art of record. Rejected claims 20-22 and 28 depend from claim 49 and therefore define patentable subject matter for at least the same reasons. Applicants therefore request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 20-22, 28 and 49.

The Office Action rejects claim 44. However, Applicants note that claim 44 was cancelled in the October 9, 2002 Amendment.

In view of the foregoing remarks, Applicants respectfully submit that this application is in condition for allowance. However, should the Examiner believe anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



Christian Austin-Hollands

Registration No. 46,527

Date: November 17, 2000

AUSTIN-HOLLANDS & SMITH
P.O. Box 14446
Washington, DC 20044-4446
Telephone: (415) 762.9543

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to Deposit Account No. 24-0037
--